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Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF THE NORTHERN MARIANA ISLANDS**

ANGELITO TRINIDAD, et al,)	CIVIL ACTION NO. 97-0073
)	
Plaintiffs,)	PROPOSED ORDER GRANTING
)	MOTION FOR PERMANENT
vs.)	INJUNCTION
)	
JOHN S. PANGELINAN, et al.,)	
)	
Defendants.)	
)	

This matter came before the court on July 31, 2006, for hearing of Plaintiffs' Motion for Permanent Injunction. Plaintiffs appeared by and through their

FILED
Clerk
District Court

AUG - 2 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

1 attorneys Lillian A. Tenorio and Robert T. Torres; defendant John S. Pangelinan
2 appearing pro se.
3

4 Based on the parties argument and the evidence adduced at the hearing
5 through the testimony of defendant Pangelinan and Roy Alexander, the court
6
7 FINDS as follows:

8 1. Through his letters to the editor published in the Marianas Variety, John
9 S. Pangelinan has made threats and promises of retribution against all persons
10 involved with the sale including Roy Alexander who was appointed to conduct the
11 judicial sale of Lot No. E.A. 222, and the purchaser of the property. (See Exs. A
12 and B admitted into evidence at the hearing.)
13
14

15 2. The letters were designed to intimidate those involved and connected
16 with the sale and to obstruct and interfere with the judicial sale of Lot No. E.A.
17 222, and the acquisition of the property, subsequent occupancy, transfer, quiet
18 enjoyment and other use of the lot by the purchaser.
19

20 3. Pangelinan's statements in the letters achieved their desired effect of
21 intimidating Mr. Alexander and causing him to worry about his own personal
22 safety, that of his staff and others connected with the sale of the lot. Consequently
23 the first sale set for June 2, 2006 was cancelled.
24
25

26 4. The second sale proceeded on July 28, 2006 with Pangelinan in
27 attendance and Mr. Alexander having accepted Rufo T. Mafnas's bid on the lot for
28

1 \$100,000.

2
3 5. Pangelinan will not vacate the property voluntarily if the court confirms
4 the sale and the quitclaim deed is issued to Mr. Mafnas, as he claims for the first
5 time in these proceedings that the lot belongs to his son Christopher through an
6 unrecorded deed of conveyance that he executed in 1994 and that such document
7 is in Washington along with his other papers.
8

9
10 6. Pangelinan has never represented to the court that he had no interest in
11 Lot No. E.A. 222; indeed he had argued that the lot was exempt property not
12 subject to levy, an argument subsequently rejected by the court. *See Amended*
13 *Order Granting Writ of Execution* (March 8, 2006).
14

15 7. It is abundantly clear, especially given his claim of having no interest in
16 Lot No. E.A. 222, that Pangelinan will continue to engage in conduct designed to
17 impede and obstruct with the judicial process relating to the acquisition by Mr.
18 Mafnas of Lot No. E.A. 222, and his subsequent occupancy, transfer and quiet
19 enjoyment or other use. It is also clear that Pangelinan will continue to engage in
20 conduct to intimidate those connected with the judicial sale including Mr.
21 Alexander and plaintiffs' attorneys.
22
23

24 Therefore, for good cause shown, IT IS ORDERED that:

25 A. John S. Pangelinan shall have no direct contact with:

26
27 (1) Roy Alexander, his agents or employees,
28

1 (2) Lillian A. Tenorio or her employees,

2 (3) Robert T. Torres or his employees, and

3 (4) Rufo T. Mafias or his employees.

4
5 Except that Pangelinan may contact Ms. Tenorio or Mr. Torres as part of
6 any settlement discussion or as to any procedural matters, i.e., service of
7 pleadings.
8

9 B. John S. Pangelinan and his agents, employees, successors and attorneys,
10 and all those in active concert or participation with him or on his behalf shall
11 refrain immediately from impeding or interfering with the acquisition of property.
12 subsequent occupancy, transfer, quiet enjoyment or other use of the lot.
13
14

15 C. If and when the court confirms and approves the sale of Lot No. E.A.
16 222 upon the motion by plaintiffs, John S. Pangelinan and his agents, employees,
17 successors and attorneys, and all those in active concert or participation with him
18 or on his behalf shall relinquish possession of the premises and shall leave the
19 premises peacefully without provoking breach of the peace or interfering with the
20 use and quiet enjoyment of the premises.
21
22

23 IT IS SO ORDERED.

24 Dated this 2 day of August 2006.

25
26
27 RECEIVED

28 AUG - 2 2006

Clerk
District Court
The Northern Mariana Islands


DAVID A. WISEMAN
Designated Judge

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